

**Proposed
State Implementation Plan for Meeting
the Infrastructure Requirements of the
Clean Air Act for Fine Particulate Matter
and Sulfur Dioxide**



**Implementation, Maintenance, and Enforcement of the
2024 PM_{2.5} and SO₂ National Ambient Air Quality
Standards**

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Executive Summary

National Ambient Air Quality Standards (NAAQS) are set at levels sufficient to protect public health with an adequate margin of safety. The United States Environmental Protection Agency (EPA) is required by the Clean Air Act (CAA) to review the NAAQS every five years to ensure they protect public health and the environment.

After the promulgation of a revised or new NAAQS, the CAA Section 110(a)(1) and (2), requires states to submit Infrastructure State Implementation Plans (SIPs) within three years. An Infrastructure SIP is a plan that states develop to demonstrate that they have the legal authority, resources, and programs necessary to implement, maintain, and enforce revised NAAQS.

On February 7, 2024, EPA promulgated a revised annual Primary (protection of public health) NAAQS for fine particulate matter (PM_{2.5}). The EPA revised the standard from 12.0 micrograms per cubic meter (µg/m³) to 9.0 µg/m³.

On December 11, 2024, EPA promulgated the Secondary (protection of public welfare) NAAQS for sulfur dioxide (SO₂). EPA revised the standard from 0.5 parts per million (ppm) as a 3-hour average, not to be exceeded more than once in a year, to an annual standard with a level of 10 parts per billion (ppb), averaged over 3 years.

This document serves as the Infrastructure SIP for both the 2024 Primary PM_{2.5} and Secondary SO₂ NAAQS; due February 7, 2027 and December 11, 2027, respectively.

In this SIP revision, Delaware addresses the requirements of Section 110(a)(2)(A)-(M) of the CAA for Infrastructure SIPs, which are detailed in Table 1 of this document.

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List of Acronyms

$\mu\text{g}/\text{m}^3$	Micrograms per cubic meter
CAA	Clean Air Act
CFR	Code of Federal Regulations
DE	Delaware
DNREC	Department of Natural Resources and Environmental Control
EGU	Electric Generation Unit
EPA	United States Environmental Protection Agency
FR	Federal Register
lb	pounds
MPOs	Metropolitan Planning Organization
NAAQS	National Ambient Air Quality Standard
NNSR	Nonattainment New Source Review
$\text{PM}_{2.5}$	Fine Particulate Matter
PSD	Prevention of Significant Deterioration
SIP	State Implementation Plan
SO_2	Sulfur Dioxide
tpy	Tons per Year

1.0 Introduction

National Ambient Air Quality Standards (NAAQS) are set at levels sufficient to protect public health with an adequate margin of safety. The United States Environmental Protection Agency (EPA) is required by the Clean Air Act (CAA) to review the NAAQS every five years to ensure they protect public health and the environment.

On February 7, 2024, the EPA promulgated a revised annual primary NAAQS for fine particulate matter PM_{2.5} (2024 PM_{2.5} NAAQS) (89 Federal Register (FR) 16202).¹ The EPA revised the primary (health-based) annual PM_{2.5} standard from 12.0 micrograms per cubic meter (µg/m³) to 9.0 µg/m³.

On December 11, 2024, EPA promulgated the Secondary (protection of public welfare) NAAQS for sulfur dioxide (SO₂). EPA revised the standard from 0.5 parts per million (ppm) as a 3-hour average, not to be exceeded more than once in a year, to an annual standard with a level of 10 parts per billion (ppb), averaged over 3 years.

A State Implementation Plan (SIP) identifies how a state will attain and maintain air quality that conforms to each primary and secondary NAAQS. The SIP is a complex, fluid document containing regulations, source-specific requirements, and non-regulatory items such as plans and emission inventories.

The CAA requires states to submit Infrastructure SIPs within three years after the promulgation of a revised or new NAAQS. The purpose of this SIP revision is to detail how Delaware meets all of the necessary implementation, maintenance, and enforcement measures required by the CAA, specifically, CAA §110(a)(1) and (2) (See Section 2).

This document serves as the Infrastructure SIP for both the 2024 Primary PM_{2.5} and Secondary SO₂ NAAQS; due February 7, 2027 and December 11, 2027, respectively. In this SIP revision, Delaware addresses the requirements of Section 110(a)(2)(A)-(M) of the CAA for Infrastructure SIPs, which are detailed in Table 1.

¹ Reconsideration of the National Ambient Air Quality Standards for Particulate Matter. EPA Final Rule. 89 FR 16202. March 6, 2024. <https://www.govinfo.gov/content/pkg/FR-2024-03-06/pdf/2024-02637.pdf>

Table 1: 110(a)(2)(A)-(M) Infrastructure Elements

Source:	Required Element:
110(a)(2)(A)	Include enforceable emission limitations and other control measures, means, or techniques (including economic incentives such as fees, marketable permits, and auctions of emissions rights), as well as schedules and timetables for compliance as may be necessary or appropriate to meet the applicable requirements of this Act.
110(a)(2)(B)	Provide for establishment and operation of appropriate devices, methods, systems, and procedures necessary to – (i) monitor, compile, and analyze data on ambient air quality, and (ii) upon request, make such data available to the Administrator.
110(a)(2)(C)	Include a program to provide for the enforcement of the measures described in subparagraph (A) and regulation of the modification and construction of any stationary source within the areas covered by the plan as necessary to assure that national ambient air quality standards are achieved, including a permit program as required in parts C and D;
110(a)(2)(D)	Contain adequate provisions – (i) prohibiting, consistent with the provisions of this title, any source or other type of emissions activity within the State from emitting any air pollutant in amounts which will - (I) contribute significantly to non-attainment in, or interfere with maintenance by, any other State with respect to any such national primary or secondary ambient air quality standard, or (II) interfere with measures required to be included in the applicable implementation plan for any other State under part C to prevent significant deterioration of air quality or to protect visibility, (ii) insuring compliance with the relevant requirements of sections 126 and 115 (relating to interstate and international pollution abatement).
110(a)(2)(E)	Provide (i) necessary assurances that the state (or, except where the Administrator deems inappropriate, the general purpose local government or governments, or a regional agency designated by the state or general purpose local governments for such purpose) will have adequate personnel, funding, and authority under state (and, as appropriate, local) law to carry out such implementation plan (and is not prohibited by any provision of federal or state law from carrying out such implementation plan or portion thereof), (ii) requirements that the State comply with the requirements respecting State boards under section 28 and (iii) necessary assurance that, where the state has relied on a local or regional government, agency, or instrumentality for the implementation of any plan provision, the state has responsibility for ensuring adequate implementation of such plan provisions;

Source:	Required Element:
110(a)(2)(F)	Require, as may be prescribed by the Administrator— (i) The installation, maintenance, and replacement of equipment, and the implementation of other necessary steps by owners or operators of stationary sources to monitor emissions from such sources, (ii) periodic reports on the nature and amounts of emissions and emissions-related data from such sources, and (iii) correlation of such reports by the state agency with any emission limitations or standards established pursuant to this Act, which reports shall be available at reasonable times for public inspection;
110(a)(2)(G)	Provide for authority comparable to that in section 303 and adequate contingency plans to implement such authority;
110(a)(2)(H)	Provide for revision of such plan - (i) from time to time as may be necessary to take account of revisions of such national primary or secondary ambient air quality standard or the availability of improved or more expeditious methods of attaining such standard, and (ii) except as provided in paragraph (3)(C), whenever the Administrator finds on the basis of information available to the Administrator that the plan is substantially inadequate to attain the national ambient air quality standard which it implements or to otherwise comply with any additional requirements established under this Act.
110(a)(2)(I)	In the case of a plan or plan revision for an area designated as a nonattainment area, meet the applicable requirements of part D (relating to nonattainment areas);
110(a)(2)(J)	Meet the applicable requirements of part C (relating to prevention of significant deterioration of air quality and visibility protection).
110(a)(2)(K)	Provide for - (i) the performance of such air quality modeling as the Administrator may prescribe for the purpose of predicting the effect on ambient air quality of any emissions of any air pollutant for which the Administrator has established a national ambient air quality standard, and (ii) the submission, upon request, of data related to such air quality modeling to the Administrator.
110(a)(2)(L)	Require the owner or operator of each major stationary source to pay to the permitting authority, as a condition of any permit required under this Act, a fee sufficient to cover - (i) the reasonable costs of reviewing and acting upon any application for such a permit, and (ii) if the owner or operator receives a permit for such source, the reasonable costs of implementing and enforcing the terms and conditions of any such permit (not including any court costs or other costs associated with any enforcement action), until such fee requirement is superseded with respect to such sources by the Administrator's approval of a fee program under Title V.

Source:	Required Element:
110(a)(2)(M)	Provide for consultation and participation by local political subdivisions affected by the plan.

Legislative authority for the Delaware air quality program relating to the responsibilities in the CAA is codified in Title 7 “Conservation” of the Delaware Code, Chapter 60—Delaware’s comprehensive water and air resources conservation statute.² This statute gives the Delaware Department of Natural Resources and Environmental Control (DNREC) the power and duty to implement the provisions of the CAA in the State of Delaware.

² Title 7, *Conservation, Natural Resources*; Chapter 60, *Environmental Control*, Subchapter II, *Powers and Duties of Secretary and Department*. Delaware Code Online. Retrieved May 7, 2026 from <https://delcode.delaware.gov/title7/c060/sc02/index.html>

2.0 Requirements

Table 2 presents a detailed list of the SIP elements and underlying statutory and regulatory authorities that satisfy each of the required infrastructure elements. It also includes how Delaware meets CAA 110(a)(2)(A)-(M) and whether the actions were submitted to Delaware's SIP. For those regulations in the SIP, we have included the most recent EPA approval dates for the submittals and the pollutants associated with the regulatory action.

Table 2: Overview of How Delaware Meets CAA 110(a)(2)(A)-(M) Requirements

Section 110(a) element	Summary of the element	How Delaware meets CAA 110(a)(2)(A)-(M)	Submitted to Delaware's SIP
110(a)(2)(A)	Include enforceable emission limitations and other control measures, means, or techniques (including economic incentives such as fees, marketable permits, and auctions of emissions rights), as well as schedules and timetables for compliance as may be necessary or appropriate to meet the applicable requirements of this Act.	For the 2024 Primary PM_{2.5} and Secondary SO₂ NAAQS, the emission limitations and schedules are contained in the following regulations in Delaware's approved SIP. • 7 DE Admin. Code 1101, <i>Definitions and Administrative Principles</i>; December 12, 2019 (84 FR 67873); PM_{2.5} and SO₂. • 7 DE Admin. Code 1104, <i>Particulate Emissions From Fuel Burning Equipment</i>; August 11, 2010 (75 FR 48566); PM_{2.5}. • 7 DE Admin. Code 1105, <i>Particulate Emissions From Industrial Process Operations</i>; August 11, 2010 (75 FR 48566); PM_{2.5}. • 7 DE Admin. Code 1106, <i>Particulate Emissions From Construction and Materials Handling</i>; July 11, 2022 (87 FR 41074); PM_{2.5}. • 7 DE Admin. Code 1107, <i>Emissions From Incineration of Noninfectious Waste</i>; August 11, 2010 (75 FR 48566); PM_{2.5}. • 7 DE Admin. Code 1108, <i>Sulfur Dioxide Emissions from Fuel Burning Equipment</i>; July 11, 2022 (87 FR 41074); SO₂ and PM_{2.5}. • 7 DE Admin. Code 1109, <i>Emissions of Sulfur Compounds From Industrial Operations</i>; August 11, 2010 (75 FR 48566); SO₂ and PM_{2.5}. • 7 DE Admin. Code 1110, <i>Control of Sulfur Dioxide Emissions - Kent and Sussex Counties</i>; August 11, 2010 (75 FR 48566); SO₂ and PM_{2.5}.	Yes

Section 110(a) element	Summary of the element	How Delaware meets CAA 110(a)(2)(A)-(M)	Submitted to Delaware's SIP
110(a)(2)(A)		• 7 DE Admin. Code 1112, <i>Control of Nitrogen Oxides Emissions</i>; August 11, 2010 (75 FR 48566); PM_{2.5}. • 7 DE Admin. Code 1113, <i>Open Burning</i>; August 11, 2010 (75 FR 48566); PM_{2.5} and SO₂. • 7 DE Admin. Code 1114, <i>Visible Emissions</i>; August 2, 2019 (84 FR 37772); PM_{2.5}. • 7 DE Admin. Code 1124, <i>Control of Volatile Organic Compound Emissions</i>; June 10, 2022 (87 FR 35423); PM_{2.5}. • 7 DE Admin. Code 1126, <i>Motor Vehicle Emissions Inspection Program – Sussex County</i>; August 11, 2010 (75 FR 48566); PM_{2.5}. • 7 DE Admin. Code 1127, <i>Stack Heights</i>; August 11, 2010 (75 FR 48566); PM_{2.5} and SO₂. • 7 DE Admin. Code 1131, <i>Motor Vehicle Emissions Inspection Program – Kent and New Castle Counties</i>; November 27, 2003 (68 FR 66343); PM_{2.5}. • 7 DE Admin. Code 1132, <i>Transportation Conformity</i>; August 11, 2010 (75 FR 48566); PM_{2.5}. • 7 DE Admin. Code 1135, <i>Conformity of General Federal Actions to the State Implementation Plans</i>; August 11, 2010 (75 FR 48566); PM_{2.5}. • 7 DE Admin. Code 1140, <i>Delaware Advanced Clean Car Program</i>; October 14, 2015 (80 FR 61752); PM_{2.5}. • 7 DE Admin. Code 1141, <i>Limiting Emissions of Volatile Organic Compounds from Consumer and Commercial Products</i>; December 22, 2011 (76 FR 79537); PM_{2.5}. • 7 DE Admin. Code 1142, <i>Specific Emission Control Requirements</i>; May 15, 2012 (77 FR 28489); PM_{2.5}.	

Section 110(a) element	Summary of the element	How Delaware meets CAA 110(a)(2)(A)-(M)	Submitted to Delaware's SIP
110(a)(2)(A)		• 7 DE Admin. Code 1144, <i>Control of Stationary Generator Emissions</i>; August 11, 2010 (75 FR 48566); PM_{2.5} and SO₂. • 7 DE Admin. Code 1146, <i>Electric Generating Unit (EGU) Multi-Pollutant Regulation</i>; August 11, 2010 (75 FR 48566); PM_{2.5} and SO₂. • 7 DE Admin. Code 1148, <i>Control of Stationary Combustion Turbine Electric Generating Unit Emissions</i>; August 11, 2010 (75 FR 48566); PM_{2.5}.	
110(a)(2)(A)		Delaware's statutory authority is in Title 7 "Conservation" of the Delaware Code, Chapter 60 – Delaware's comprehensive water and air resources conservation law. Legislative authority giving the Secretary of DNREC the authority to promulgate Regulations is codified at Title 7, Chapter 60.	No. EPA does not identify this as a SIP required element.
110(a)(2)(B)	Provide for establishment and operation of appropriate devices, methods, systems, and procedures necessary to – (i) monitor, compile, and analyze data on ambient air quality, and (ii) upon request, make such data available to the Administrator.	7 DE Admin. Code 1103, <i>Ambient Air Quality Standards</i>; June 17, 2014 (79 FR 34441); PM_{2.5} and SO₂; provides for the establishment and operation of procedures necessary to monitor, compile, and analyze data related to ambient air quality. Delaware holds authority to fulfill this obligation under 7 Del. C. Chapter 60 Environmental Control § 6010(c). 40 CFR 53; 40 CFR 58 establishes ambient air monitoring Reference and Equivalent Methods and ambient air quality surveillance requirements. States are required to submit a comprehensive air quality monitoring plan to EPA each year. Delaware's 2025 Annual Air Monitoring Network Plan and 2025 Ambient Air Monitoring 5-Year Network Assessment were submitted on June 23, 2025. Delaware's 2025 Annual Air Monitoring Network Plan was approved by EPA on January 20, 2026. The 5-Year Network Assessment does not require EPA approval.	Yes

Section 110(a) element	Summary of the element	How Delaware meets CAA 110(a)(2)(A)-(M)	Submitted to Delaware's SIP
110(a)(2)(B)		Delaware maintains and operates a multi-station network of ambient monitors throughout the State to measure ambient air quality levels within Delaware for comparison to each NAAQS, as required by 40 CFR Part 58. Daily PM _{2.5} and SO ₂ monitoring is currently performed at various locations throughout Delaware.	No. EPA does not identify this as a SIP required element.
110(a)(2)(B)		Delaware collects all monitoring data using EPA approved methods as either Federal Reference or Federal Equivalent Monitors; all monitors are subjected to the quality assurance requirements of 40 CFR Part 58, Appendix A; and all samplers are located at sites that have met the minimum siting requirements of Part 58, Appendix E. The data is submitted to the EPA's Air Quality System, in a timely manner in accordance with the schedule prescribed by the EPA in 40 CFR Part 58.16.	No. EPA does not identify this as a SIP required element.
110(a)(2)(B)		Delaware keeps EPA informed of changes to the sampling network, DNREC provides EPA Region III with prior notification of any planned changes to the network. On an annual basis, Delaware sends EPA a monitoring network plan as required by 40 CFR Part 58.10: <i>Annual monitoring network plan and periodic network assessment</i> . This plan contains all required information, including site and monitor description, analysis methods, operating schedule, monitoring objectives, and scale of representativeness, as well as information on any planned changes.	No. EPA does not identify this as a SIP required element.

Section 110(a) element	Summary of the element	How Delaware meets CAA 110(a)(2)(A)-(M)	Submitted to Delaware's SIP
110(a)(2)(C)	Include a program to provide for the enforcement of the measures described in subparagraph (A) and regulation of the modification and construction of any stationary source within the areas covered by the plan as necessary to assure that national ambient air quality standards are achieved, including a permit program as required in parts C and D;	Delaware implements its Construction and Operation Permit Program requirements under 7 DE Admin. Code 1102, <i>Permits</i>; August 11, 2010 (75 FR 48566); PM_{2.5} and SO₂ and 1125, <i>Requirements for Preconstruction Review</i>; October 20, 2016 (81 FR 72529); PM_{2.5} and SO₂. These existing permitting programs ensure that the construction and modification of both major and minor stationary sources do not cause or contribute to a violation of the PM_{2.5} or SO₂ NAAQS. 7 DE Admin. Code 1125 fulfills parts C and D of Title I of the CAA; governing preconstruction review and permitting of any new or modified major stationary sources of air pollutants. Under 1125 any major source or modification that results in a net significant increase of SO₂ (40 tons per year [tpy]) or PM_{2.5} (10 tpy) and its precursor pollutants, must apply Best Available Control Technology to reduce the emissions from those pollutants. Major sources must also meet the Lowest Achievable Emission Rate control technology, in accordance with 7 DE Admin. Code 1125, Section 2.4. 7 DE Admin. Code 1102 provides for the evaluation and necessary regulation of any stationary source that emits equal to or greater than 0.2 lb of any air contaminant in any one day.	Yes
110(a)(2)(C)		Delaware exercises its programmatic authority to utilize the enforcement powers set out in 7 Del. C. §6005 entitled "Enforcement; civil and administrative penalties; expenses"; 7 Del. C. §6013 entitled "Criminal penalties"; and 7 Del. C. §6018 entitled "Cease and desist order."	No. EPA does not identify this as a SIP required element.

Section 110(a) element	Summary of the element	How Delaware meets CAA 110(a)(2)(A)-(M)	Submitted to Delaware's SIP
110(a)(2)(D)	Contain adequate provisions – (i) prohibiting, consistent with the provisions of this title, any source or other type of emissions activity within the State from emitting any air pollutant in amounts which will - (I) contribute significantly to non-attainment in, or interfere with maintenance by, any other State with respect to any such national primary or secondary ambient air quality standard, or (II) interfere with measures required to be included in the applicable implementation plan for any other State under part C to prevent significant deterioration of air quality or to protect visibility,	110(a)(2)(D)(i)(I): Major stationary sources are subject to Nonattainment New Source Review (NNSR) and Prevention of Significant Deterioration (PSD) permitting programs through 7 DE Admin. Code 1125. Delaware has complied with §110(a)(2)(D) through promulgation of 7 DE Admin. Code 1146 and 7 DE Admin. Code 1148, which significantly reduces emissions from Delaware's largest EGUs, industrial boilers, and peaking units. 110(a)(2)(D)(i)(II): PSD requirements under Section 3.0 of Regulation 1125. Major sources are subject to NNSR and PSD permitting programs implemented in accordance with EPA's PM_{2.5} New Source Review Implementation Rule (73 FR 28321)³. EPA approved Delaware's Regional Haze SIP for the current ten-year planning period on October 22, 2024 (89 FR 84288). On January 22, 2025 the Department submitted the interim Progress Report demonstrating sufficient progress in visibility of the surrounding Class I areas and Delaware's implementation of the strategies committed to in the SIP. The Department will continue to be involved for the next regional haze planning session through the regional planning organization, MANE-VU.	Yes

³ Implementation of the New Source Review (NSR) Program for Particulate Matter Less Than 2.5 Micrometers (PM_{2.5}). EPA Final Rule. 73 FR 28321. May 16, 2008. <https://www.govinfo.gov/content/pkg/FR-2008-05-16/pdf/E8-10768.pdf>

Section 110(a) element	Summary of the element	How Delaware meets CAA 110(a)(2)(A)-(M)	Submitted to Delaware's SIP
110(a)(2)(D)	(ii) insuring compliance with the relevant requirements of sections 126 and 115 (relating to interstate and international pollution abatement).	110(a)(2)(D)(ii): Nothing in Delaware's statutory or regulatory authority prohibits or otherwise interferes with Delaware's ability to exercise sections 126 and 115 of the CAA. Delaware has no active 126 or 115 petitions against them. PSD requirements under Section 3.0 of Regulation 1125. Major sources are subject to PSD permitting programs implemented in accordance with EPA's PM_{2.5} New Source Review Implementation Rule (73 FR 28321)⁴.	Yes

⁴ Implementation of the New Source Review (NSR) Program for Particulate Matter Less Than 2.5 Micrometers (PM_{2.5}). EPA Final Rule. 73 FR 28321. May 16, 2008. <https://www.govinfo.gov/content/pkg/FR-2008-05-16/pdf/E8-10768.pdf>

Section 110(a) element	Summary of the element	How Delaware meets CAA 110(a)(2)(A)-(M)	Submitted to Delaware's SIP
110(a)(2)(E)(i)	Provide (i) necessary assurances that the state (or, except where the Administrator deems inappropriate, the general purpose local government or governments, or a regional agency designated by the state or general purpose local governments for such purpose) will have adequate personnel, funding, and authority under state (and, as appropriate, local) law to carry out such implementation plan (and is not prohibited by any provision of federal or state law from carrying out such implementation plan or portion thereof),	At present Delaware fulfills this obligation through the CAA §105 grant process (federal grant funds), the State of Delaware general fund (state tax revenues), and appropriated special funds collected by the State of Delaware from application fees, permit fees (Natural Minor & Major Source Construction Fees and Title V Operating Fees) and renewal fees. Any substantial reductions in future 105 grant allocations to states may jeopardize Delaware's ability to meet this condition. Delaware has adequate authority under state law pursuant to 7 Del. C. Chapter 60 to carry out its SIP obligations. DNREC does not believe that there is any prohibition in any federal or state law that would prevent it from carrying out its SIP obligations. Delaware maintains adequate personnel to carry out its' SIP obligations.	No. EPA does not identify this as a SIP required element.

Section 110(a) element	Summary of the element	How Delaware meets CAA 110(a)(2)(A)-(M)	Submitted to Delaware's SIP
110(a)(2)(E)(ii)	(ii) requirements that the State comply with the requirements respecting State boards under section 128 and	Delaware affirms conflicts of interests are disclosed through 29 Del. C., Ch. 58, "Laws Regulating the Conduct of Officers and Employees of the State." April 17, 2013; 78 FR 22785. Delaware does not have a specific board or body that approves permits or enforcement orders. Therefore, the requirements of CAA 128 (a)(1) do not apply to Delaware. Instead, the Division of Air Quality's Engineering and Compliance Section approves permits and the Secretary of DNREC signs enforcement orders.	Yes
110(a)(2)(E)(iii)	(iii) necessary assurance that, where the state has relied on a local or regional government, agency, or instrumentality for the implementation of any plan provision, the state has responsibility for ensuring adequate implementation of such plan provisions;	The requirement of §110(a)(2)(E)(iii) is not applicable to Delaware because it does not rely on localities for specific SIP implementation.	No. EPA does not identify this as a SIP required element.

Section 110(a) element	Summary of the element	How Delaware meets CAA 110(a)(2)(A)-(M)	Submitted to Delaware's SIP
110(a)(2)(F)(i)	Require, as may be prescribed by the Administrator— (i) The installation, maintenance, and replacement of equipment, and the implementation of other necessary steps by owners or operators of stationary sources to monitor emissions from such sources,	§110(a)(2)(F)(i): Specific monitoring requirements are found throughout the State of Delaware Regulations Governing the Control of Air Pollution, to include 7 DE Admin. Code 1108, Section 4.0; 7 DE Admin. Code 1117, <i>Source Monitoring, Record Keeping, and Reporting</i> ; August 11, 2010 (75 FR 48566); PM _{2.5} and SO ₂ ; 7 DE Admin. Code 1144, Section 5.0 and 7 DE Admin. Code 1146, Section 5.0.	Yes
110(a)(2)(F)(ii)	(ii) periodic reports on the nature and amounts of emissions and emissions-related data from such sources, and	§110(a)(2)(F)(ii): Specific emission reporting requirements are found throughout the State of Delaware Regulations Governing the Control of Air Pollution, to include 7 DE Admin. Code 1108; 7 DE Admin. Code 1117, Section 7.0; 7 DE Admin. Code 1144, Section 5.0; and 7 DE Admin. Code 1146, Section 5.0.	Yes

Section 110(a) element	Summary of the element	How Delaware meets CAA 110(a)(2)(A)-(M)	Submitted to Delaware's SIP
110(a)(2)(F)(iii)	(iii) correlation of such reports by the state agency with any emission limitations or standards established pursuant to this Act, which reports shall be available at reasonable times for public inspection;	Delaware requires that owners or operators of stationary sources monitor and submit periodic reports on the nature and amounts of emissions and emissions-related data from the sources. This may include the installation, maintenance, and replacement of equipment, where appropriate. This information submitted to DNREC is available to the public at reasonable times for public inspection pursuant to Delaware law, per 7 DE Admin. Code 1117. Except as specifically exempted by the Delaware Freedom of Information Act, 29 Del. C. Chapter 100, Delaware makes all records, reports, or information obtained by the Department or referred to at public hearings available to the public pursuant to the provisions of the Delaware Freedom of Information Act, 29 Del. C. Chapter 100.	Yes
110(a)(2)(G)	Provide for authority comparable to that in section 303 and adequate contingency plans to implement such authority;	Delaware has authority comparable to that in section 303 and adequate contingency plans to implement such authority: 7 Del. C. § 6003(a)(1) requires a permit from the Secretary prior to discharging any air contaminant. 7 Del. C. § 6005 allows the Secretary to seek a preliminary or permanent injunction or temporary restraining order for any discharge of an air contaminant without a permit, and issue cease and desist orders for violations (7 Del. C. § 6018). Delaware also has requirements for air pollution emergency plans, per 7 DE Admin. Code 1115 <i>Delaware Air Pollution Alert and Emergency Plan</i>; August 11, 2010 (75 FR 48566); SO₂.	No. EPA does not identify this as a SIP required element.

Section 110(a) element	Summary of the element	How Delaware meets CAA 110(a)(2)(A)-(M)	Submitted to Delaware's SIP
110(a)(2)(H)	Provide for revision of such plan - (i) from time to time as may be necessary to take account of revisions of such national primary or secondary ambient air quality standard or the availability of improved or more expeditious methods of attaining such standard, and (ii) except as provided in paragraph (3)(C), whenever the Administrator finds on the basis of information available to the Administrator that the plan is substantially inadequate to attain the national ambient air quality standard which it implements or to otherwise comply with any additional requirements established under this Act.	Through 7 Del. C. Chapter 60 Section 6010(c): Delaware will review and revise its SIP from time to time as may be necessary to take account of revisions of such primary or secondary NAAQS or the availability of improved or more expeditious methods of attaining such standard.	No. EPA does not identify this as a SIP required element.

Section 110(a) element	Summary of the element	How Delaware meets CAA 110(a)(2)(A)-(M)	Submitted to Delaware's SIP
110(a)(2)(I)	In the case of a plan or plan revision for an area designated as a nonattainment area, meet the applicable requirements of part D (relating to nonattainment areas);	Part D pertains to general requirements for nonattainment areas. In the EPA's 2013 guidance document titled "<i>Guidance on Infrastructure State Implementation Plan (SIP) Elements under Clean Air Act Sections 110(a)(1) and 110(a)(2)</i>", the EPA's position is that, because of the separate statutory schedules for area designations and submission of attainment plans provided elsewhere in the CAA; CAA Section 110(a)(2)(I), is outside the scope of an infrastructure SIP action. As the 2013 guidance is non-binding, Delaware is choosing to include information regarding this element in its infrastructure SIP, as detailed below; in case of potential future guidance changes. In its January 15, 2025 Designation Recommendation for the 2024 PM_{2.5} NAAQS, Delaware recommended that the entire state be designated as attainment. At the time of the development of this document, EPA has not acted on the 2024 PM_{2.5} NAAQS designation recommendations. EPA was required to promulgate final initial area notifications by February 6, 2026. In its November 12, 2025 Designation Recommendation for the 2024 SO₂ NAAQS, Delaware recommended that the entire state be designated as attainment. The deadline for EPA to promulgate final initial area notifications is December 11, 2026. If the recommendations are approved by EPA, this element would not apply. If Delaware is designated nonattainment by EPA for either PM_{2.5} or SO₂, we will comply with the requirements of Part D (Plan Requirements for Nonattainment Areas), as required.	No. EPA does not identify this as a SIP required element.

Section 110(a) element	Summary of the element	How Delaware meets CAA 110(a)(2)(A)-(M)	Submitted to Delaware's SIP
110(a)(2)(J)	Meet the applicable requirements of Section 121 (relating to consultation), Section 127 (relating to public notification), and part C (relating to prevention of significant deterioration of air quality and visibility protection).	CAA Section 121: 7 DE Admin. Code 1132, Transportation Conformity, provides a legal platform for the various consultation procedures that have been developed between DNREC, the Delaware Department of Transportation and the Metropolitan Planning Organizations (MPOs). The MPOs provide a forum for consultation with local governments. Delaware's MPOs are: the Wilmington Area Planning Council, Kent County MPO, and the Salisbury-Wicomico MPO.	Yes
110(a)(2)(J)		CAA Section 121: All SIP revisions and new/amended regulations undergo public notice and hearing, pursuant to 7 Del. C. Chapters 29 and 60, which includes publication in the newspapers and in the Delaware Register. This allows for comment by both the public and local political subdivisions. Delaware believes the public notice and hearing processes also fulfill the section 121 consultation process. The submitted attainment plans and regulations in the approved Delaware SIP specify the organizations responsible for implementing and enforcing the plans.	Yes

Section 110(a) element	Summary of the element	How Delaware meets CAA 110(a)(2)(A)-(M)	Submitted to Delaware's SIP
110(a)(2)(J)		CAA Section 121: Delaware is complying with the visibility protection and regional haze program requirements under Part C of the CAA. EPA approved the first ten-year regional haze SIP on July 19, 2011 (76 FR 42557), ⁵ the "5-Year Progress Report" SIP on May 5, 2014 (79 FR 25506), ⁶ and the second ten-year regional haze SIP on October 22, 2024 (89 FR 84288). ⁷ Delaware consults with Federal Land Managers as required, to comply with the Regional Haze Rule.	Yes
110(a)(2)(J)		CAA Section 127: DNREC makes real-time air quality information available on its website.⁸ Delaware provides public notifications related to air monitoring levels such as Air Quality Action Days on DNREC's website.⁹ DNREC currently provides extended range air quality forecasts during the ozone season (May 1-September 30) for ozone and PM_{2.5}. This advance notice allows the public to limit their exposure to unhealthy air and enact a plan to reduce pollution at home and at work. DNREC issues e-mails to the public, businesses and the media regarding Air Quality Action Days. These notifications are free to the public.	No. EPA does not identify this as a SIP required element.

⁵ Approval and Promulgation of Air Quality Implementation Plans; Delaware; Regional Haze State Implementation Plan. Final Rule. 76 FR 42557. July 19, 2011. <https://www.govinfo.gov/content/pkg/FR-2011-07-19/pdf/2011-17867.pdf>

⁶ Approval and Promulgation of Implementation Plans; Delaware; Regional Haze Five-Year Progress Report State Implementation Plan. Final Rule. 79 FR 25506. May 5, 2014. <https://www.govinfo.gov/content/pkg/FR-2014-05-05/pdf/2014-10111.pdf>

⁷ Approval and Promulgation of Air Quality Implementation Plan; Delaware; Regional Haze State Implementation Plan for the Second Implementation Period. Final Rule. 89 FR 84288. October 22, 2024. <https://www.govinfo.gov/content/pkg/FR-2024-10-22/pdf/2024-24196.pdf>

⁸ Delaware Air Quality Monitoring. Accessed May 1, 2026. <https://experience.arcgis.com/experience/27260572c33a4574ae8f0302d49ed30e>

⁹ Air Quality Forecast. Accessed May 1, 2026. <https://dnrec.delaware.gov/air/quality/forecast/>

Section 110(a) element	Summary of the element	How Delaware meets CAA 110(a)(2)(A)-(M)	Submitted to Delaware's SIP
110(a)(2)(J)		CAA Part C: Delaware's Prevention of Significant Deterioration requirements are promulgated in 7 DE Admin. Code 1125.	Yes
110(a)(2)(K)	Provide for - (i) the performance of such air quality modeling as the Administrator may prescribe for the purpose of predicting the effect on ambient air quality of any emissions of any air pollutant for which the Administrator has established a national ambient air quality standard, and (ii) the submission, upon request, of data related to such air quality modeling to the Administrator.	Delaware will continue to incorporate modeling into its SIP submittals as required under the CAA to demonstrate attainment. EPA finalized updates to Appendix W, " <i>Guideline on Air Quality Models</i> ", on November 20, 2024 (89 FR 95034). Delaware is in the process of amending 7 DE Admin. Code 1125 to update 40 CFR 51 Appendix W incorporation by reference dates.	Yes

Section 110(a) element	Summary of the element	How Delaware meets CAA 110(a)(2)(A)-(M)	Submitted to Delaware's SIP
110(a)(2)(L)	Require the owner or operator of each major stationary source to pay to the permitting authority, as a condition of any permit required under this Act, a fee sufficient to cover - (i) the reasonable costs of reviewing and acting upon any application for such a permit, and (ii) if the owner or operator receives a permit for such source, the reasonable costs of implementing and enforcing the terms and conditions of any such permit (not including any court costs or other costs associated with any enforcement action), until such fee requirement is superseded with respect to such sources by the Administrator's approval of a fee program under Title V.	In a manner consistent with Delaware law, Delaware will continue to require the owner or operator of each major stationary source to pay to the permitting authority, as a condition of any permit required under this Act, a fee sufficient fees in accordance with CAA §110(a)(2)(L), pursuant to Delaware law. Delaware currently fulfills this under the enabling authority of 7 Del. C. § 6095 to 6099 and fee legislation that is currently renewed every three years. Delaware has a fully approved Title V operating permits program. See paragraphs (b) and (c) under “ <i>Delaware</i> ” in Appendix A to 40 CFR Part 70—Approval Status of State and Local Operating Permits Programs.	No. EPA does not identify this as a SIP required element.

Section 110(a) element	Summary of the element	How Delaware meets CAA 110(a)(2)(A)-(M)	Submitted to Delaware's SIP
110(a)(2)(M)	Provide for consultation and participation by local political subdivisions affected by the plan.	There are no local air quality agencies beyond DNREC in Delaware. All SIP revisions undergo public notice and hearing, which have allowed for comment by the public, including local political subdivisions. We believe the public notice and hearing processes fulfill the requirements for consultation with local political subdivisions affected by the SIP.	Yes

3.0 Conclusion

Based on the information provided in this SIP revision, Delaware fully complies with the requirements of §110(a)(2)(A) through §110(a)(2)(M) for the 2024 Primary PM_{2.5} and Secondary SO₂ NAAQS. Delaware may make changes to its laws and regulations that it believes in its discretion are appropriate, while continuing to fulfill this obligation.